

GARVEY SCHUBERT BARER

Please reply to HENRY A. SOLOMON
hsolomon@gsblaw.com TEL EXT 2329

May 16, 2003

Our File No. 20854-101-61

Via Hand Delivery

Ms. Marlene S. Dortch
Federal Communications Commission
c/o Vistrionix, Inc.
236 Massachusetts Avenue, NE, Suite 110
Washington, DC 20002

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MAY 16 2003

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Reference: **NATIONAL TRANSLATOR ASSOCIATION**
RM-1-666

10666

Dear Ms. Dortch:

Submitted herewith are an original and four copies of the Comments of Terri L. Newland, P. O. Box 1477, Basalt, CO 81621, in support of the above-referenced rule making proposal.

Should there be any questions concerning this matter please communicate directly with the undersigned.

Respectfully submitted,

TERRI L. NEWLAND

By: 

Henry A. Solomon
Her Attorney

Enclosure

cc: Ms. Terri L. Newland

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ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION **RECEIVED**
 Washington, D.C. 20554

MAY 16 2003

In the Matter of)

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NATIONAL TRANSLATOR ASSOCIATION)

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Petition for Rulemaking to Establish)

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A Rural Translator Service)

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RM-1-666

To: Chief, Media Bureau

COMMENTS IN SUPPORT OF PETITION FOR RULEMAKING

Terri L. Newland respectfully files these Comments in support of the Petition for Rulemaking filed by the National Translator Association (the "NTA").

I. INTRODUCTION

I am Translator Administrator for the Pitkin County Translator Department, Pitkin County, Colorado. I am ultimately responsible for efficient operation of the TV and FM translator systems licensed to the Pitkin County Translator Department.

Pitkin County, whose principal community is Aspen, is located on the Western Slope of the Rocky Mountains, approximately 150 miles southwest of Denver and approximately 95 miles east of Grand Junction. The terrain characteristics of that area, known as the Roaring Fork Valley, may be characterized as "vertical." Much of the County lies within the rugged White River National Forest, and is bordered on the east by the Sawatch Range of the Rocky Mountains. Because of topography and distance from urban markets, County residents must rely on secondary transmitters in order to receive

Denver and Grand Junction television signals. Many residents who do not or cannot subscribe to cable or satellite service, rely exclusively on the County's TV translators for access to commercial and NCE television service. At the present time, the Translator Department holds licenses for approximately two dozen TV translators and recently was awarded construction permits for new facilities at Thomasville, Woody Creek, Redstone, and Ashcroft, Colorado. The applications for these facilities were filed during the late summer of 2000.¹

II. SUPPORTING COMMENTS

In my position as Translator Administrator I constantly field inquiries from residents of Pitkin County regarding television service. When a translator "goes down," the switchboard lights up. When a new signal becomes available, the switchboard also lights up with compliments.

Although Aspen is generally regarded as an affluent resort community, in fact, Pitkin County is overwhelmingly rural and middle class. A sizable proportion of residents who wish to subscribe to cable service cannot do so because of the costs involved in stringing cable to small farms and ranches from drop points on distant main roads. Moreover, some areas of the County are not yet cabled. Because of terrain barriers, satellite service is not a viable alternative to many residents, and to some it is unaffordable.

I can assure the Commission that local support for free over-the-air television service remains robust in Pitkin County. Indeed, dozens of residents recently attended a local meeting during which they expressed to County officials their continued support for over-the-air TV. Unfortunately, new and improved service has been slow in coming. As

¹ Pitkin County has been operating television translators since the early 1970s.

over-the-air TV. Unfortunately, new and improved service has been slow in coming. As noted, it has taken almost three years for the Commission to process the approximately a half dozen non-mutually exclusive translator applications filed by Pitkin County during the summer-2000 window. During that window thousands of applications were submitted, many of them proposing low-power television stations in non-rural areas that are well served by full power stations.

It is clear to me that a Rural Translator Service would benefit residents of counties such as Pitkin by speeding up the availability of new and improved over-the-air television service. In my opinion, that NTA's proposal is entirely consistent with the Commission's overall goal of ensuring that there are adequate communications facilities are available to all citizens. Moreover as NTA points out in its Petition, a Rural Translator Service would be consonant with the FCC's specific goal of fostering digital television service. Accordingly, I support the NTA's proposal and respectfully urge the Commission to move ahead and issue a Notice of Proposed Rule Making looking toward the enactment of implementing rules.

Respectfully submitted,

TERRI L. NEWLAND



Of Counsel

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May 16, 2003

CERTIFICATE OF SERVICE

I, Henry A. Solomon, of the law offices of Garvey Schubert Barer, hereby certify that I have on this 16th day of May, 2003, sent copies of the enclosed **"COMMENTS IN SUPPORT OF PETITION FOR RULEMAKING"** by first-class, United States mail, postage prepaid, to the following:

Federal Communications Commission
Attention: Bradley E. Lerner
Media Bureau, Video Division
445 12th Street, S.W., Room
Washington, DC 20554

National Translator Association
c/o George R. Borsari, Esq.
Borsari & Paxon
2101 L Street, NW, Suite 402
Washington, DC 20036

A handwritten signature in black ink, appearing to read 'Henry A. Solomon', is written over a horizontal line.

Henry A. Solomon